IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1093/03

Jawahar Singh **Versus** State

DATE OF ORDER : 01/08/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Ranvir Singh, for petitioner
Mr. Arun Sharma, P.P.

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Instant petition has been filed by accused-petitioner assailing the order dated 24th September, 1990 whereby he was declared as absconder and standing arrest warrant was issued against him by learned trial Judge.

A case U/ss.323 & 324 IPC was registered against accused-petitioner way back in 1977. It appears that since he did not appear before learned trial Judge, his surety bond was forfeited and fresh warrant was issued on 11th July, 1979. Since he did not appear for one or other reason and warrant also could not be executed, learned trial Judge vide order dated 24th September, 1990 declared him to be absconder and standing arrest warrant was issued.

This matter pertains to 1977 and accused-petitioner was under an obligation to appear during pendente trial.

This court does not find any error committed by learned trial Judge in passing order dated 24th September, 1990.

Consequently, this court finds no merit in the instant petition, the same stands dismissed. Copy of this order be sent to learned trial Judge for necessary compliance.

[AJAY RASTOGI],J.

FRBOHRA,JR.P.A.